

## **MINUTES**

### **EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING**

**Tuesday, September 9, 2014**

**City Council Chamber**

**4:00 p.m.**

#### **PLEDGE OF ALLEGIANCE AND ROLL CALL**

Council President Kincaid called the meeting to order. The following members were present: Council Members David Duax, Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Eric Larsen, Monica Lewis, Kathy Mitchell, David Strobel, Bob Von Haden, Andrew Werthmann, and Michael Xiong.

#### **CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, September 9, 2014:

- Approving Minutes of Regular Meeting of August 26, 2014.
- Granting bartender licenses,
- Granting a Temporary Class B Fermented Malt Beverage license to Chippewa Valley Roller Girls, LTD, Kimm Schroeder, president, for October 4, 2014 at 3456 Craig Road, for Chippewa Valley Roller Girls – Home Bout.
- Authorizing Memorial High School to conduct the Memorial High Homecoming Parade on October 3, 2014 along city streets and sidewalks.
- Authorizing the Brain Injury Alliance of Wisconsin to conduct the Walk for Thought on October 4, 2014 at Phoenix Park and on city trails and sidewalks

Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Klinkhammer “to adopt the consent resolution”. Said motion passed by unanimous vote.

#### **CERTIFICATE OF APPRECIATION**

Council President Kincaid, on behalf of the City Council, presented a Certificate of Appreciation to the members of Team Claire Mni who placed second in the 2014 World Kubb Competition in Sweden. Team Claire Mni is the first team made up completely of American members to compete in the World Competition.

#### **SPECIAL EVENTS**

The Council considered a resolution authorizing the Eau Claire Skaters Association to conduct the Eau Claire Skaters Association Contest/Fundraiser on September 13, 2014 at Lakeshore Park Skate Plaza. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution authorizing Group Health Cooperative to conduct the Haunted Hustle on October 25, 2014 in Owen Park and on city trails and sidewalks. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing Family Support Center, Bolton Refuge House and UW-EC Women's and LGBTQ Resource Center to conduct Walk a Mile on October 26, 2014 in Carson Park and on city trails. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Larsen "to adopt the resolution". Said motion passed by unanimous vote.

The City Council considered a resolution authorizing the Community Parks Association to conduct the Clearwater Winter Parade and Celebration on December 20, 2014 at Hobbs Ice Center and along city streets and sidewalks. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Emmanuelle "to adopt the resolution". Said motion passed by unanimous vote.

### **GRANTS**

The City Council considered a resolution approving and appropriating a 2014 Bulletproof Vest Program Grant from the Office of Justice Programs, Bureau of Justice Assistance. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Klinkhammer "to adopt the resolution". Said motion passed by unanimous vote.

The Council considered a resolution approving and appropriating an Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program Funds from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Xiong "to adopt the resolution". Said motion passed by unanimous vote.

### **APPOINTMENTS**

The Council considered a resolution approving the following appointments to various Boards, Committees and Commissions.

#### Transit Commission

Rebecca Jewell – new appointment as UWEC Student Representative for one-year term to expire August 31, 2015

#### Waterways and Parks Commission

Allyson Gommer – new appointment to fill unexpired term to expire December 31, 2016  
Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Emmanuelle "to adopt the resolution". Said motion passed by unanimous vote.

Council Member Von Haden left the Council Chamber.

### **NEIGHBORHOOD PLAN UPDATE**

The City Council considered a resolution adopting the update of the Historic Randall Park Neighborhood Plan as part of the Comprehensive Plan. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Werthmann "to adopt the resolution". Said motion passed by unanimous vote.

Council Member Von Haden returned to the Council Chamber.

### **STREET VACATION**

The Council considered a resolution vacating Delbert Road, Anderson Drive to N. Hastings Way. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Larsen “to adopt the resolution”. Said motion passed by unanimous vote.

### **FINANCIAL POLICIES**

The City Council considered a resolution approving amendments to the Fund Balance Policy for the City of Eau Claire. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Emmanuelle “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution approving amendments to the Debt Policy for the City of Eau Claire. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Klinkhammer “to adopt the resolution”. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Lewis “to amend the resolution under the heading Debt Limitations, Paragraph A, change 3.5 percent to 3 percent and change 70% to 60% to read ‘Although State Statutes allow 5 percent of the equalized valuation, the City has set an internal debt goal, which seeks to remain below 3 percent (60% of the maximum amount allowed by the State Statutes’.).”. Said motion to amend was approved by a unanimous voice vote. The Council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

### **TID #8 PLAN AMENDMENTS**

The City Council considered a resolution approving amendments to the Project Plan to provide additional infrastructure improvements and to expand the boundaries making findings for Tax Incremental District No. 8. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Werthmann and Xiong. Nay: Council Members Lewis, Strobel and Von Haden.

### **THE CONFLUENCE**

The Council considered a resolution supporting the creation of a non-profit entity to submit a non-state agency grant application, and own “*The Confluence*” Arts Center as part of a project located in Downtown Eau Claire. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Mitchell “to adopt the resolution”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Von Haden “to amend the final clause of the resolution as follows: ‘Be It Further Resolved, that the City will accept an invitation to ~~become a member~~ appoint City representative(s) to serve on the board of directors of this new ~~entity corporation~~, subject to future acceptance by the City through its city council, of articles of incorporation, by-laws, and such additional ~~ownership~~ governance.’”

liability, and operational agreements as the city determines are necessary’.” Said motion to amend passed by the following vote: Aye: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Von Haden, Werthmann and Xiong. Nay: Council Member Lewis. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Strobel “to consider a substitute resolution”. The Council discussed, and then voted on the motion to substitute. Said motion failed on the following vote: Aye: Council Members Lewis, Strobel and Von Haden. Nay: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Werthmann and Xiong. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Strobel “to amend said resolution by adding a Be It Further Resolved paragraph which would read: ‘Be It Further Resolved, that no phase of “*The Confluence*” Project, as defined in the third whereas, will commence until the non-state agency grant for the project is approved’.” Said motion was removed from consideration because it was ruled not to be germane to the agenda item. Council discussion continued on the original motion. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Lewis “to amend said resolution by adding a fourth Whereas paragraph to read ‘*The Confluence*’ Project, is one project and the parts are dependent upon each other’.” Said motion was withdrawn by the mover and seconder. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Von Haden “to amend said resolution by adding the word ‘could’ to the ninth Whereas paragraph to read ‘Governor Scott Walker has suggested that funding for “*The Confluence*” could be provided through a non-state agency grant’.” Said motion failed by the following vote: Aye: Council Members Duax, Lewis, Mitchell, Strobel and Von Haden. Nay: Council Member Emmanuelle, Kincaid, Klinkhammer, Larsen, Werthmann and Xiong. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Von Haden “to amend said resolution by changing the word ‘reaffirm’ to ‘reaffirms’ in the tenth Whereas paragraph and deleting the words ‘agrees to’ and changing the word ‘support’ to ‘supports’ in the Now, Therefore Be It Resolved paragraph.” Said motion passed by unanimous voice vote. The council then voted on the resolution as amended. Said resolution was adopted by the following vote: Aye: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Lewis, Mitchell, Werthmann and Xiong. Nay: Council Members Strobel and Von Haden.

## **PARKING**

The City Council had first reading on an ordinance amending Table XII of the City Code of Ordinances, entitled "Parking, Stopping and Standing Prohibited," by changing the parking on Locust Lane adjacent to Locust Lane School.

## **ALDERMANIC DISTRICTS**

The City Council had first reading on a Charter Ordinance relating to the City Council and the reapportionment of the Aldermanic Districts of the city to incorporate recently created wards.

## **ADJOURNMENT**

A motion was offered by Council Member Lewis and seconded by Council Member Strobel “that this meeting does now adjourn.” Said motion passed without objection.

Adjournment: September 9, 2014

Time: 7:44 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Donna A. Austad, City Clerk